Tells the Facts and Names the Names

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Blacklisted at the Polls

Beyond the obsession about defiant punch card machines, obstacle course ballots, and pregnant or hanging chads, there are more serious issues that, in the miles of print written about the election in Florida, have received barely a mention: the systematic intimidation of poor people, blacks, Hispanic, immigrants and the disabled.

Try this story related to CounterPunch by Ron Davis of Miami-Dade County. "Our family always votes together. This year it was my turn to drive. After work, my wife Lisa and I borrowed a van from a friend and picked up my brother, my parents and my uncle and aunt. About a block away from the polling place, we were pulled over by a county sheriff. He looked in the van and asked me if I had a chauffeur's license. I said, this is my family and we're going to vote. He said, 'You can't take all those people to the polling place without a license. Go home and I won't write you a ticket.' I was tired of arguing. We went home and all tried to vote later. But it was too late."

Or how about this account told to us by Dave Crawford of Broward County: "I showed up at the polling place with my five-year old daughter. I was stopped at the door by an election official. He asked me my name. I told him. He said, 'Son, we've got a problem. You're not allowed to vote.' I asked him what the hell he was talking about. He said, 'Son, says here you're a convict. Convicts can't vote.' He had this list in his hand. And I told him that I'd never even been arrested in my life. I handed him my voter ID card. He just shook his head, smiled and pointed at a list. He never showed me my name. My daughter began to cry and I left in disgust."

On November 7, blacks and Hispanic turned out to vote in record numbers. But tens of thousands were shunted away before they reached the polling booth. The scenes, many of them narrated during an extraordinary 5-hour hearing sponsored by the NAACP and the Lawyers Committee for Civil Rights Under Law, harked back to the pre-voting rights act South, when black voters were denied the franchise through a variety of schemes, from the poll tax and character vouchers to loyalty oaths and literacy tests.

Across Florida, black voters were turned away from the polls by hostile election workers who demanded voter ID cards, even though those weren't required from white voters. Police set up roadblocks in black precincts around Tallahassee. Other police intimidated voters by asking if they were felons. Polls in black precincts closed early, often with dozens of voters waiting in line. Other polls were moved from their original locations without notice. Dozen of black college students who had registered this summer weren't permitted to vote. Other voters were told that their names weren't on the voter rolls only to find out later that they were. Haitian voters were often asked for two forms of identification.

Stacey Powers, a former cop who is now a news director at a Tampa radio station, spent the day visiting different polling places in Tampa's black neighborhoods. She said dozens of black voters were turned away after being told that their names didn't appear on the voting registers. Powers said that when she reminded some voters that they could sign an affidavit and then vote, she was booted out of the polling place.

"There were illegal poll watchers, threatening people, telling them: 'I know where you work. You're going to get fired'" reported Charles Weaver, publisher of the Fort Myers-based Community Voice.

(**Blacklist** continued on page 5)

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Our Little Secrets

Infernal Triangle? The Governor, His Secretary & a President-in-Waiting

Jack McCarthy, a Friend of CounterPunch resident in Tallahassee, and erstwhile political columnist for the now defunct Florida Flambeau sends us this bulletin from Ground Zero, concerning the rumor, now being intensely probed by some newspapers and news weeklies, of intimacies between Governor Jeb Bush and Secretary of State Katherine Harris. Here at CounterPunch we had intelligence some time ago of such speculation in the form of the Italian newspaper La Stampa blazoning reports of a carnal connexion between Gov. Jeb and the Medusa-like Secretary. We were then alerted that the supposed affair was being given the imprimatur, as it were, of an investigation by Newsweek's Michael Isikof. Furthermore New York Observer's Ron Rosenbaum has noted "veiled referecnes" to the liaison in the New York Times and New York Post. Now over to Jack:

"I ran the rumor by one well connected capitol politico in Tallahassee, and asked him if he'd heard of the rumor.

He said it's true that there's a congruence between Harris and the Bush family, but that it's W and Harris who for years have been trysting at National Governors' conferences. He believed that some Florida reporters were comparing Harris' infamous travel schedule with W's.

"He also said that a story will soon appearing outlining the sexusal activities of Jeb's scion, Jorge, at last summer's Republican convention. Jorge, who was, you'll recall, the subject of adoring profiles in our national press hailing him as the bright rising star of Clan Bush, was involved in a 1994 incident described in a Metro-Dade police dept report that surfaced on the Smoking Gun website. "On Dec. 31 1994 Bush showed up at 4 a.m. at the Miami home of a former girlfriend. He proceeded to break into the house via the woman's bedroom window, and then began arguing with the ex's father. Bush, then a Rice university student, soon fled the scene. But he returned 20 mins later to drive his Ford Explorer across the home's front lawn leaving wide swaths of burned grass in his wake. Young Bush avoided arrest when the victims declined to press charges."

Jack says that on recently revisiting the Smoking Gun site he was shocked to read that on October 7 of this year, Gov. Jeb's other young'un, John "Jebby" Bush was caught humping away in the front seat of his Cherokee jeep in the parking lot of the Tallahassee Mall by security guards. According to the TPD Police report, mall security noticed "fogged up windows" and found them naked from the waists down, except for Bush who was wearing "socks". Ah, those patrician Bushes. Breeding will out. It sounds as though a return to Camelot is in store for us.

Meanwhile we hear that Gore, heatedly berating Gore junior at the VP mansion for some discreditable escapade, pointed to a uniformed Secret Service agent standing by the front door and said: "If you don't get your act together you'll end up like him!" Who would take a round for this guy?

Remember Mena?

Mena? Yes, the airstrip in Arkansas which became a site of much investigation in the dawn of Clinton time in the early 1990s. The supposition was that Mena, amid the complaisance of Gov. Bill Clinton in the mid to late 1980s, had been a staging post in the CIA-contra arms/drugs shuttle. The House Banking Committee, chaired by Jim Leech did in fact investigate Mena but the report has been not been published even though it was completed in 1998. This has left the impression on those with memories long enough to remember Mena that the committee found nothing, and therefore reported nothing.

We now gather that Leech is in possession of information damaging to Bush Sr. and that the report demonstrates important truths about the cover-up of Bush's (and by extension, Clinton's) involvement in Iran-Contra. Some longtime probers of Mena speculate that the report is being held as a weapon to extort favors from G.W. Bush, in the event he finally stumbles into the White House.

Press War in San Francisco

In 1871 William Randolph Hearst, flush with the endless millions consequent upon his father George owning the Comstock lode and other subterranean assets decided to cut a figure in the world of journalism and acquired the San Francisco Examiner. 129 years later this somewhat dingy afternoon paper become the one of the beneficiaries of one of the most colossal bribes in America's rich political history.

In 1970, as Nixon made ready for reelection, he received a letter from Hearst company president Richard Berlin, imploring him to sign a scandalous piece of legislation put up by some of the nation's newspaper publishers, entitled the Newspaper Preservation Act.

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White himself, after 16 months in the publisher's chair at the Examiner, was shuttled off into retirement in a gold-plated litter worth almost $10 million.

Under its terms publications such as San Francisco's Examiner and Chronicle, or Detroit's Free Press and News, or Seattle's Press Intelligencer and Times, would be given permission by the Justice Department to flout the anti-trust laws and establish monopolies in their respective cities. Not only would these papers be able to set advertising rates, confident that they could jointly conspire to evade all price competition, they could also fend off all would-be competitors.

The price tag on this "preservation" act was of course newspaper endorsement of Richard Nixon in the 1972 election. Nixon duly saw reason and all the publishers likely to benefit by the Joint Operating Agreements duly endorsed him over George McGovern. Of course they would have backed Nixon anyway, but his support of their cause lent an extra zest to their editorial statements that Nixon was their man. Unburdened of the rigors of the "free market" to which their editorial writers and columnists continued to pay fervent tribute, the newspapers began to coin money.

The years rolled by. Then, in the late 1990s, the Hearst corporation which by now had made something like half a billion out of the JOA-protected lode known as the Examiner, planned to acquire the San Francisco Chronicle, a morning paper.

The Hearst plan was clear enough. After a not particularly decent interval the scrawny Examiner would be closed down and the Hearsts carve their pounds of flesh off the plump survivor.

The chutzpa to the Hearsts' design was prodigious. The rhetorical accouterments of the Newspaper Preservation Act of 971 had consisted of much verbiage about the vital necessity of sustaining a vigorous Fourth Estate, vigilant guardian of our democratic way of life. But here, quarter of a century later, were the Hearsts, fatter by hundreds of millions off the oligopoly they and their fellows had extorted in return for political services rendered, saying that no longer was liberty imperilled by the possibility of San Francisco becoming a one-newspaper town, or that any possible peril would be more than outweighed by the sense of well-being enjoyed by the Hearst corporation if it was allowed to have its way.

Court proceedings attendant on a challenge to the Hearsts' plan disclosed that former San Francisco Examiner Tim White believed that he had offered Mayor Willie Brown the Examiner's staunch editorial backing in return for Brown's backing of the Hearsts' takeover of The Chronicle.

For some reason, this disclosure embarrassed the Hearsts and the local owners of the Chronicle, who were eagerly awaiting their cash out. The publishers made a huge and comical effort to persuade the world that White had misspoken himself, had somehow got everything wrong when he let the cat out of the bag about offering to trade favors with Mayor Brown. Retired judge Charles Renfrew was hired to run an investigative commission which took testimony for half a year at prodigious expense, brooded mightily and finally delivered itself of the somewhat qualified judgement (reported excitedly by the Chronicle and the Examiner) that somehow things were not as they seemed and the deal iwith Brown had not been sought.

White himself, after 16 months in the publisher's chair at the Examiner, was shuttled off into retirement in a gold-plated litter worth almost $10 million.

We now come to one of our story's greater surprises: The US Justice Department's relatively decent comportment during this affair. The DOJ took the view, similar to its posture over a JOA in Honolulu, that the Hearsts would not be allowed so summarily to abandon the JOA when it had ceased to serve its purpose. They could take over the Chronicle, but would have to surrender the Examiner to an appropriate purchaser, and furthermore give that purchasor a three-year slice of the money it had been making out of the JOA over the past generation, said sum coming to about $60 million.

Enter Warren Hinckle, a journalistic picaro whose rich career includes sessions at Ramparts in its great early days, Scanlans, City magazine and the Argonaut, and The Independent. This last is a free San Francisco paper appearing three times a week and owned by a local Chinese family, the Fangs who originally enlisted Hinckle to do a hit job on a former San Francisco mayor called Art Agnos. Hinckle came through with a robust polemic hand-delivered to the voters in booklet form days before the election and that was the end of Agnos.In fact the Independent is a good community paper.

So the Fangs got the Examiner and not very long to establish it as a morning paper rival to the Chronicle. In a wise move, the Examiner has recruited the editors of CounterPunch as columnists and is trying to lure in our friend Bruce Anderson, editor of the world's greatest newspaper, the Anderson Valley Advertiser.

OUR FAVORITES

Last year we published a list of our top 100 non-fiction books first published in English since 1900. It generated some fierce debate, commentary and calls for more. Those pleas have been heard.

We have now completed a list of our favorite 100 books of non-fiction translated into English since 1900. The list is available on our website at http://www.counterpunch.org/nonfictrans.html. Or call us and we'll send you a print copy.

DON'T FORGET SANTA!

Call our 1-800-840-3683 for gift CounterPunch subs, also for our new book 5 Days That Shook the World: Seattle and Beyond with wonderful photos by Allan Sekula at an amazing $16.95, s/h included. **CP**

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Remember Those "Super-Predators"?

Criminalizing Youth

Ours is not the first era in which adults have persecuted the young and criminalized them. But in this country it's not been done before with such methodical zeal, ever since that salesman of the virtues , Bill Bennett, co-chaired the Council on Crime in America and issued a 1996 report titled "The State of Violent Crime in America" containing these ominous words and utterly inaccurate predictions: "America is a ticking violent crime bomb. Rates of violent juvenile crime and weapons offenses have been increasing dramatically and by the year 2000 could spiral out of control."

These were the years when headline-seeking criminologists like John DiIulio of Princeton and Northeastern's James Alan Fox painted lurid scenarios of "superpredators", meaning urban youth of color, swelling Generation Y by as much as 24 per cent. In 1997, Congressmen William McCollum of Florida stated during a floor debate that today's youths are "...the most dangerous criminals on the face of the Earth."

A slice of the crude, unlovely obvious: It's not the criminalization of youth, it's the criminalization of youth from certain neighborhoods, of certain ethnic origins. Did you know that what neighborhood you live in is now an element of probable cause? Yes indeed, if you live in a "high crime" neighborhood, they can search you with less evidence you've done anything wrong. Hence, people in bad (read: poor) neighborhoods have less of a 4th Amendment than the rest of us. Three quarters of the youth who are incarcerated are black or Hispanic kids of color. An black teenager is 6 times more likely to be incarcerated for a first-time violent offense than a white kid. A black teenager is 48 times (yes, you read that right, 48) more likely to do time for a drug offense than a white kid.

"The law has taken many terrible turns in the last few years, and the pit of the law is the juvenile justice system." This is Catherine Campbell, a civil rights attorney in Fresno whose fine piece on "stealing kids" readers may recall in CounterPunch earlier this year. "It stinks. It's rotten to the core. It should be wiped away and started over. A lot of it begins with putting the kids of poor parents into foster care. That's how authorities inspire hatred, anger, frustration and feelings of worthlessness. It's the 'I don't give a f…. zone', and with only a few months of that, most kids are pretty much destroyed. They are 'criminalized' when their behavior crosses over the almost unavoidable line of criminal behavior."

We've made criminal behavior that wasn't criminal ten years ago. Statutory rape is the latest craze - they had a little trouble figuring out what was wrong with an 18-year old having sex with a 16-year old, but then they decided it was too many teenage pregnancies, (Bill and Hillary Clinton's prime obsession) and bammo, they were out looking for boys to bring in for statutory rape.

All kids commit crimes. Most adults commit crimes. We smoke joints, we have stolen if we don't steal now, we walked the streets in groups (now called gangs, and just being in one is illegal), we lie on our tax returns, we commit crimes all the time. The point is not that youth is criminalized, but that only certain kids are criminalized, and these are kids from bad neighborhoods.

Campbell again: "The laws have changed, and they are so awful. Take civil commitment. Used to be the wisdom was you can't predict criminal behavior. Now the wisdom that a criminal is someone who committed a crime. He's a criminal now, and will be forever. Nowhere is this theory more controlling than as to sex crimes. I had a client who at age 15 had sex with a 7-year old. Both boys. In the bathroom, at church. He was charged and convicted of lewd and lascivious behavior. He went to California Youth Authority. There he was diagnosed by diabolical, incompetent shrinks as a sexual psychopath, and they kept him in two years longer than his sentence based on our state's new civil commitment laws that allow that to happen. He finally got out when some shrink (he won't last) said the kid's gay, let him go. They extended this kid's term every time he had sex (he lived with other gay boys) or masturbated! Can you imagine? Six more months in the slammer for jacking off?

"They get them, and then if they're the right kind, if they're poor, of color, angry, and unsuccessful in school, they keep them. Through all means available, they keep them in the system. They search them, harass them, follow them, watch who they talk with, what they wear. The most minor infraction, they are back in jail, then they are sent away, or placed on probation, and then they are watched more."

Do people realize how many "crimes" are committed in jails, juvenile facilities and prisons. A kid can go to CYA for a burglary when he's 16, and 4 years later he gets his third strike and he's never even seen the streets. His entire adult life will be prison. There are no middle-class gangs, there are only lower-class gangs. And it's a crime to be in a gang, and it's more time in jail or prison if a crime is gang-related. You can't really survive on the streets in those bad neighborhoods without being in a gang (if you're male) so you're criminal just because you're alive and leave the house. Walk out the door, commit a crime. And of course the age at which you are an adult for jail and prison eligibility is lower every year. That's part of that ugly companion to California's Three-Strikes, Proposition 21, the anti-youth crime bill.

The drug laws are the key to criminalizing youth. The trick is to take something almost everybody does, and then make it a crime. That way you can pick and choose who you want to mess with.

The drug laws are of course key to criminalizing youth. The trick is to take something almost everybody does, and then make it a crime. That way you can pick and choose who you want to mess with. Kids from all backgrounds use drugs, but again only kids from bad

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neighborhoods get criminalized for it. It gets a kid into the system, and once in he won't get out unless he's exempt, and an exemption is given to the kids with aggressive, middle class parents, who have good or passable grades.

The hysteria and lies about youthful criminals goes virtually unchallenged . There are some worthy souls, like UC Irvine's Mike Males who published the excellent Scapegoat Generation, America's War on Adolescents, back in 1996 and who has run a one-man truth squad on the actual stats ever since.

"Now," Males writes, "the latest panacea for society seems to be restricting youths' access to media and entertainment. One leading authority, former West Point psychologist David Grossman, argues that violent video games, movies and music make today's teens more violent, even murderous. Certainly violent games (or Beatles music or even the Bible) might incite a disturbed individual, but Grossman and other media critics claim they're warping an entire generation. Yet, the evidence cited is peculiar: Grossman blames violent media for the increase in aggravated assaults over the last 35 years, but he fails to note that assault rates peaked in 1992 and have since fallen sharply.

"A curfew can create vacant neighborhoods, which offer better opportunities for crime, while occupying police with removing law-abiding teenagers from public. In Vernon, Conn., among 400 curfew citations, police reported virtually no criminal activity, intoxication or other misbehavior by youths they cited and sent home."

Back in 1997 California's Office of Traffic Safety, warned that an "alarming population trend"—meaning more teenagers—would increase highway deaths and drunk-driving accidents. But teenage traffic deaths had been falling for two decades.

A black teenager is 48 times (yes, you read that right, 48) more likely to do time for a drug offense than a white kid.

In fact, violent juvenile crime rates have plunged during the 1990s. Today's teenagers, Males points out "are not more criminally prone than past generations. Youth felony arrest rates declined by 40% in the last 20 years while felony arrest rates for over age 30 adults increased. In addition, California's general population aged by three years from 1978 to 1998, but its violent and felony arrestee population aged by six years. In 1978, the average violent crime arrestee was 21.5 while in 1998 the average violent crime arrestee was 27.7. Juveniles comprised 30% of California's felony arrestees in 1978 but comprised less than 15% in 1998." Elsewhere Males notes that "older white adults display drug overdose death rates five to seven times higher than younger people of color, including for the major illicit drugs such as heroin, cocaine (including crack), methamphetamine, and hallucinogens. However, young people of color are three times more likely to be arrested for drugs and sent to prison for drug offenses than older white adults. The result is that at all ages, a Californian of color is four to five times more likely to be imprisoned for a drug offense than a white compared to their rates of drug abuse…In fact, young people of color display the largest declines and lowest rates of drug abuse of any group."

You've heard about the race to the bottom. How about the race to the cradle? An AP dispatch, November 16, from Columbus, Ohio: "Youth Jail for 10-year-olds OK'd; Taft expected to sign bill. Pushing hard on legislation before year's end, Ohio lawmakers yesterday approved bills that would jail children as young as 10." California's legislators had better look to their laurels. **CP**

(**Blacklist** *continued from page 1)*

A catalogue of these accounts was assembled and shipped off to Janet Reno, who, as attorney general, is charged with enforcing the Voting Rights Act. So far, the Clinton Justice Department hasn't taken one step to investigate the charges. "This is a strange stance from the Justice Department", said Kwesi Mfumi, head of the NAACP. "They just seem to get colder to civil rights as the administration draws to a close."

Then there were the more than 12,000 largely black voters who were evicted from the Florida voter rolls in May, supposedly because they were ex-felons. In the sunshine state the system functioned in a particularly devious way. Nearly all of those booted off the rolls turned out not to have had criminal records. But nearly all of them were black. Some 8,000 went through the legal red tape to assert their voting rights. The remaining 4,000 didn't bother. Nearly all of those votes would have gone to Gore. The list was prepared by a company known as Database Technologies, a firm picked by Secretary of State Katherine Harris. As the London Guardian reported, Database Technologies is a subsidiary of ChoicePoint, which is has been under investigation for misusing personal information gathered state computers. ChoicePoint's beleaguered CEO, Rick Bozar, made a timely $100,000 contribution to the Republican National Committee early this year.

Even those who made it inside the polling booth found out later that their votes didn't tally. While the press and the Gore pr machine raged about the injustices done to Jewish voters by the infamous Butterfly ballot, the real story, even in Palm Beach County, was the effort to suppress the black vote. Democratic pollster Patrick Caddell, who

(**Blacklist** *continued on page 6)*

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(**Blacklist** *continued from page 6)*

speaks venomously of the Gore machine, was one of the first to point this out. "I looked at those precincts," said Caddell. "And it struck me that most of them were in predominately black areas. Of course, they would be just as unlikely to vote for Buchanan as the Jewish retirees. But the Gore people made a deliberately effort to spin it as a case of 4,000 elderly Jewish Democrats being duped into voting for a Nazi." A similar point was made by Adora Ori, the president of the NAACP's Florida chapter. "A closer examination has to be made. The precincts that have the most irregularities at this point seem to be black and minority."

The Democratic Party has displayed a marked disinclination to make any political capital out of the denial of black and Haitian voting rights in Florida. After a couple of days hammering the issue Jesse Jackson was evidently told to cool it.

In Duval County, a Republican stronghold, about 25,000 votes were tossed out by the canvassing board. More than 17,000 of those came from black precincts. "That so-called voter error rate raises real questions about what was going on up there," says Kendrick Meek, a Florida state senator from Miami. Duval County has one of the highest illiteracy rates in the United States. More than 47 percent of the voting age population is considered functionally illiterate, making it nearly impossible for them to comprehend Florida's obscure ballot. Top to it off, according to numerous accounts, election workers regularly demeaned as being "dumb and retarded" those voters who asked for help.

Throughout Florida, more than 187,000 votes were dismissed, more than half of them from black precincts. Nationally more than 2.8 million ballot were eliminated, often because of some trifling error by the voter. A disproportionate percentage of these discarded votes originated in black and Hispanic precincts.

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Although more than 95 percent of blacks supported Gore, election offices controlled by Democrats seemed just as determined to suppress the black vote as Republicans. Listen to this account from Palm Beach County resident Marie Didier. "My husband and I moved to Palm Beach from New York City eight months ago. We had just retired as public school teachers. We registered to vote at the motor vehicle department when I got my license. Months went by and we never received our voter cards. About six weeks before the election I began to get nervous and called the DMV. They said it wasn't their problem and that I should contact the election office. I drove down there. They had no record of us. I said, 'I want to re-register now.' The woman told me to wait a few weeks and see if the card came. We waited. It never came. The week before the election, I went in again. They said, 'Do you have any proof of how long you've lived in Florida.' I gave showed them my driver's license. They said that wasn't good enough. I got mad and left. Then I called the state election's office. They said they didn't have time to deal with a minor issue like this. It was the first time I haven't voted in 30 years."

Didier was not alone. In West Palm Beach the votes of more than 2,000 recent Haitian immigrants were rejected because of the maze-like ballot and the lack of Creole interpreters. "There were lots of Spanish translators to make sure all of the Cubans voted, but none who spoke Creole", Ken Murtaugh, a poll watcher in West Palm Beach, tells CounterPunch. "Most of them were utterly confused. Others just walked away. It was pathetic. They were treated as being subhuman."

In other counties, Haitians were harassed for their voter identification cards or told that their names couldn't be found on the voter rolls. Others were threatened with deportation. In one precinct with Creole translators, election officials ordered the interpreters not to speak to Haitian voters or risk being tossed from the polling place. **CP**

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The Real Fraud in Florida

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